



February 24, 2023

The Honorable Melony Griffith
Chair, Finance Committee
3 East, Miller Senate Office Building
Annapolis Maryland 21401-1991

RE: SB 795 – Wicomico County – Alcoholic Beverages - Cigar Lounge License – Letter of Concern

Dear Chair Griffith and Committee Members:

The Maryland State Council on Cancer Control (the Council) submits this letter of concern for Senate Bill 795 (SB 795), titled “Wicomico County – Alcoholic Beverages – Cigar Lounge License”. SB 795, as drafted, would establish a license to allow for the joint sale and consumption of alcohol and cigars on the same premises in Wicomico County. This license would then operate as an exception to the Maryland Clean Indoor Air Act (CIAA).

In 2007, the Maryland General Assembly passed the CIAA. The CIAA adopted minimum comprehensive and uniform statewide protections from exposure to secondhand smoke in places of employment and public places, including, but not limited to, stores, restaurants, and bars.

The CIAA defines “smoking” to include “the burning of a lighted cigarette, cigar, pipe, or other substance that contains tobacco.” The CIAA further defines “indoor area open to the public” to include “an indoor area of any establishment licensed . . . for the sale of alcoholic beverages.” With certain exceptions, the CIAA unequivocally prohibits “smoking” in “an indoor area open to the public.”

The Council is concerned that SB 795 erodes the protection of the CIAA. Indeed, based upon the language highlighted above and the proposed amendment to the CIAA, SB 795 will effectively eliminate current protection from second-hand smoke emitted by cigars in bars and restaurants located in Wicomico County. Moreover, if passed, SB 795 would serve as precedent for other Maryland counties to replicate this legislation, which would further undermine the CIAA. Additionally, the Council is concerned that future legislation could extend the license contemplated by SB 795 to other types of tobacco products.

Unquestionably, the CIAA has reduced exposure in Maryland to the carcinogens of second-hand smoke. Further, there is a clear causal relationship between the carcinogens of second-hand smoke and lung cancer, and links between secondhand smoke and other cancers.

While the Council usually does not comment on bills unique to specific counties, SB 795 seeks to reverse protections of the CIAA and set a precedent for further rollbacks. As the State Council is tasked with identifying policies to reduce cancer burden in Maryland, the Council submits this letter of concern.

Sincerely,

Kevin Cullen, MD
Chair, Maryland State Council on Cancer Control